

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAMES I. TONEY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:10-CV-2056-JCH
)	
MICHAEL HAKALA, et al.,)	
)	
Defendants.)	

ORDER

IT IS HEREBY ORDERED that plaintiff's motion for leave to file an amended complaint [Doc. #52] is **GRANTED**.

IT IS FURTHER ORDERED that, as to defendant Jason Unknown, this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B), because Jason Unknown is not a named defendant in the amended complaint, and plaintiff states that he has "voluntarily relieved [employee Jason] . . . from this suit."

Dated this 9th day of May, 2011.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE